

News from Ed Markey

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Rep. Markey Joins Reps. Capps, Waxman Solis and Other Stakeholders To Call on Chairman Barton to Release Details of Industry Bailout for MTBE in the Energy Bill

WASHINGTON, D.C. – Congresswoman Edward J. Markey, joined Congresswoman Capps, Congressman Henry Waxman, Congressman Ed Markey, Congresswoman Hilda Solis and representatives from local governments, water districts and environmental groups denounced reports of a MTBE industry bailout and called on Chairman Barton to open up talks on MTBE provisions in the bill.

Although details of the MTBE bailout have been released, most members of the conference committee and important stakeholders have not been included in the negotiations. Instead, Chairman Barton reportedly has been working with only a few Republicans and industry representatives on a bailout that would protect MTBE manufacturers from paying or cleanup of contaminated groundwater.

“What I am hearing about the pro-industry negotiations aren’t good and won’t address present and future MTBE contamination,” Capps, the leader on MTBE issues in the House, said. “Taxpayers would be saddled with a vast majority of the bill to clean up their water supplies that MTBE manufacturers knowingly polluted. The American people are looking for a comprehensive energy policy, not a bill protecting polluters.”

The House-passed Energy bill included the so-called “safe harbor” protections that would absolve MTBE manufacturers from responsibility for the damage their product has caused. MTBE is responsible for contaminating groundwater at more than 2,300 sites in dozens of states, and cleanup costs could be as high as \$85 billion. This special protection, included in the House bill but not the Senate bill, doomed comprehensive energy legislation two years ago.

“It’s telling that the oil industry has a seat at the table, yet our mayors, cities, and counties are excluded,” said Rep. Waxman, ranking member of the Government Reform Committee and a longtime leader on the MTBE issue. “The priority should be public health and the environment first, but instead the legislation is a special interest bonanza.”

“While the oil companies are being flooded with cash, our community water systems are being flooded with MTBE. Unfortunately, just as Big Oil continues to add MTBE to their gasoline, the Republicans continue to add protections for Big Oil from MTBE lawsuits to the energy bill. The only MTBE deal that is acceptable to the American people is one where the oil companies face their responsibility and pay for cleaning the drinking water that they polluted,” said Rep. Markey, senior Democrat on the Energy and Commerce Committee.

“As Members of Congress it is our job to ensure our communities have access to vital services, including safe drinking water. Any deal on MTBE which will leave our taxpayers and water providers paying the bill for cleanup is unacceptable and unjust to consumers. The only way to fairly and adequately pay for the cleanup of MTBE is to hold manufacturers responsible for their harmful practices and actions,” said Rep. Hilda Solis, ranking Democrat on the House Environment and Hazardous Materials Subcommittee.

Local officials and water districts are on the front lines of dealing with and cleaning up MTBE contamination in their water supplies. Diane VanDe Hei, executive director of the Association of Metropolitan Water Agencies, is concerned about the potential cleanup costs that might be passed on to local communities.

“If energy bill contains a liability waiver and fails to fully cover drinking water cleanup costs now and into the future, then local communities will be forced to absorb costs that belong solely to the companies that produced or distributed MTBE and knew early on of its environmental hazards,” she said.

“The Conference of Mayors is strongly opposed to the inclusion of the MTBE liability waiver that is energy bill, H. R. 6.,” said Piscataway (NJ) Mayor Brian Wahler. “The cost of this exemption is an estimated \$25 to \$85 billion cost shift to local taxpayers who will be asked to foot the bill for the clean up and even replacement of local water supplies. This is certainly one of the largest unfunded mandates passed down from Congress to local taxpayers in recent years.”

“It is no secret that MTBE is polluting drinking water supplies across the country, but what is a secret is the back room dealings of big oil companies,” Christy Leavitt, clean water advocate for U.S. PIRG, said. “Some of the biggest and most powerful companies in the world are using their power to stick the American public with the MTBE bill.”

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